

Barrett (NE)	Gallegly	Nethercutt
Bartlett	Ganske	Neumann
Barton	Gekas	Ney
Bass	Geren	Norwood
Bateman	Gillmor	Nussle
Bereuter	Gonzalez	Ortiz
Bevill	Goodlatte	Orton
Billbray	Goodling	Oxley
Billrakis	Gordon	Packard
Bishop	Goss	Parker
Bliley	Graham	Paxon
Blute	Greenwood	Payne (VA)
Boehner	Gunderson	Petri
Bonilla	Gutknecht	Pickett
Brewster	Hall (TX)	Pombo
Browder	Hancock	Porter
Brownback	Hansen	Portman
Bryant (TN)	Hastert	Poshard
Bunn	Hastings (WA)	Pryce
Bunning	Hayes	Quillen
Burr	Hayworth	Quinn
Burton	Hefley	Radanovich
Buyer	Heineman	Ramstad
Callahan	Herger	Regula
Calvert	Hilleary	Riggs
Camp	Hilliard	Roberts
Canady	Hobson	Rohrabacher
Castle	Hoekstra	Rose
Chabot	Hoke	Roth
Chambliss	Horn	Roukema
Chapman	Hostettler	Royce
Chenoweth	Houghton	Salmon
Christensen	Hunter	Sanford
Chrysler	Hutchinson	Saxton
Clement	Hyde	Scarborough
Clinger	Inglis	Schaefer
Coble	Istook	Schiff
Coburn	Johnson (SD)	Seastrand
Coleman	Johnson, Sam	Sensenbrenner
Combest	Jones	Shadegg
Condit	Kasich	Shaw
Cooley	Kelly	Shuster
Costello	Kim	Sisisky
Cox	King	Skeen
Cramer	Kingston	Skelton
Crane	Klug	Smith (NJ)
Crapo	Knollenberg	Smith (TX)
Creameans	Kolbe	Smith (WA)
Cubin	LaHood	Solomon
Cunningham	Largent	Souder
Danner	Latham	Spence
Davis	LaTourette	Spratt
de la Garza	Laughlin	Stearns
DeLay	Lazio	Stenholm
Diaz-Balart	Leach	Stockman
Dickey	Lewis (CA)	Stump
Dooley	Lewis (KY)	Talent
Doolittle	Lightfoot	Tanner
Dornan	Lincoln	Tate
Doyle	Linder	Tauzin
Dreier	Livingston	Taylor (MS)
Duncan	LoBiondo	Taylor (NC)
Dunn	Longley	Tejeda
Edwards	Lucas	Thomas
Ehlers	Manzullo	Thornberry
Ehrlich	Martini	Thornton
Emerson	McCollum	Tiahrt
English	McCrery	Traficant
Ensign	McDade	Upton
Everett	McHugh	Vucanovich
Ewing	McInnis	Waldholtz
Fawell	McIntosh	Walker
Fields (TX)	McKeon	Wamp
Flanagan	Meehan	Watts (OK)
Foley	Meyers	Weldon (FL)
Fowler	Mica	Weldon (PA)
Fox	Miller (FL)	Weller
Frank (MA)	Molinar	White
Franks (CT)	Mollohan	Wicker
Franks (NJ)	Montgomery	Wolf
Frelinghuysen	Moorhead	Young (AK)
Frisa	Myers	Young (FL)
Funderburk	Myrick	Zeliff

NOT VOTING—17

Baldacci	McNulty	Rogers
Bono	Metcalf	Smith (MI)
Brown (FL)	Moakley	Torkildsen
Collins (GA)	Murtha	Towns
Collins (IL)	Peterson (FL)	Whitfield
Hall (OH)	Rangel	

So the amendment was not agreed to.

After some further time,

164.9 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the

Whole on the following amendment submitted by Mr. PALLONE:

Page 72, strike line 20 and all that follows through line 18 on page 73 and insert the following:

(b) BEACHES ENVIRONMENTAL ASSESSMENT, CLOSURE, AND HEALTH.—

(1) WATER QUALITY CRITERIA AND STANDARDS.—

(A) ISSUANCE OF CRITERIA.—Section 304(a) (33 U.S.C. 1314(a)) is further amended by adding at the end the following:

“(13) COASTAL RECREATION WATERS.—(A) The Administrator, after consultation with appropriate Federal and State agencies and other interested persons, shall issue within 18 months after the effective date of this paragraph (and review and revise from time to time thereafter) water quality criteria for pathogens in coastal recreation waters. Such criteria shall—

“(i) be based on the best available scientific information;

“(ii) be sufficient to protect public health and safety in case of any reasonably anticipated exposure to pollutants as a result of swimming, bathing, or other body contact activities; and

“(iii) include specific numeric criteria calculated to reflect public health risks from short-term increases in pathogens in coastal recreation waters resulting from rainfall, malfunctions of wastewater treatment works, and other causes.

“(B) For purposes of this paragraph, the term ‘coastal recreation waters’ means Great Lakes and marine coastal waters commonly used by the public for swimming, bathing, or other similar primary contact purposes.”

(B) STANDARDS.—

(i) ADOPTION BY STATES.—A State shall adopt water quality standards for coastal recreation waters which, at a minimum, are consistent with the criteria published by the Administrator under section 304(a)(13) of the Federal Water Pollution Control Act not later than 3 years following the date of such publication. Such water quality standards shall be developed in accordance with the requirements of section 303(c) of the Federal Water Pollution Control Act. A State shall incorporate such standards into all appropriate programs into which such State would incorporate water quality standards adopted under section 303(c) of the Federal Water Pollution Control Act.

(ii) FAILURE OF STATES TO ADOPT.—If a State has not complied with subparagraph (A) by the last day of the 3-year period beginning on the date of publication of criteria under section 304(a)(13) of the Federal Water Pollution Control Act, the Administrator shall promulgate water quality standards for coastal recreation waters for the State under applicable provisions of section 303 of the Federal Water Pollution Control Act. The water quality standards for coastal recreation waters shall be consistent with the criteria published by the Administrator under such section 304(a)(13). The State shall use the standards issued by the Administrator in implementing all programs for which water quality standards for coastal recreation waters are used.

(2) COASTAL BEACH WATER QUALITY MONITORING.—Title IV (33 U.S.C. 1341-1345) is amended by adding at the end thereof the following new section:

“SEC. 406. COASTAL BEACH WATER QUALITY MONITORING.

“(a) MONITORING.—Not later than 9 months after the date on which the Administrator publishes revised water quality criteria for coastal recreation waters under section 304(a)(13), the Administrator shall publish regulations specifying methods to be used by States to monitor coastal recreation waters,

during periods of use by the public, for compliance with applicable water quality standards for those waters and protection of the public safety. Monitoring requirements established pursuant to this subsection shall, at a minimum—

“(1) specify the frequency of monitoring based on the periods of recreational use of such waters;

“(2) specify the frequency of monitoring based on the extent and degree of use during such periods;

“(3) specify the frequency of monitoring based on the proximity of coastal recreation waters to pollution sources;

“(4) specify methods for detecting short-term increases in pathogens in coastal recreation waters;

“(5) specify the conditions and procedures under which discrete areas of coastal recreation waters may be exempted by the Administrator from the monitoring requirements of this subsection, if the Administrator determines that an exemption will not impair—

“(A) compliance with the applicable water quality standards for those waters; and

“(B) protection of the public safety; and

“(6) require, if the State has an approved coastal zone management program under section 306 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1455), that each coastal zone management agency of the State provide technical assistance to local governments within the State for ensuring that coastal recreation waters and beaches are as free as possible from floatable materials.

“(b) NOTIFICATION REQUIREMENTS.—Regulations published pursuant to subsection (a) shall require States to notify local governments and the public of violations of applicable water quality standards for State coastal recreation waters. Notification pursuant to this subsection shall include, at a minimum—

“(1) prompt communication of the occurrence, nature, and extent of such a violation, to a designated official of a local government having jurisdiction over land adjoining the coastal recreation waters for which a violation is identified; and

“(2) posting of signs, for the period during which the violation continues, sufficient to give notice to the public of a violation of an applicable water quality standard for such waters and the potential risks associated with body contact recreation in such waters.

“(c) FLOATABLE MATERIALS MONITORING PROCEDURES.—The Administrator shall—

“(1) issue guidance on uniform assessment and monitoring procedures for floatable materials in coastal recreation waters; and

“(2) specify the conditions under which the presence of floatable material shall constitute a threat to public health and safety.

“(d) DELEGATION OF RESPONSIBILITY.—A State may delegate responsibility for monitoring and posting of coastal recreation waters pursuant to this section to local government authorities.

“(e) REVIEW AND REVISION OF REGULATIONS.—The Administrator shall review and revise regulations published pursuant to this section periodically.

“(f) DEFINITIONS.—For the purposes of this section—

“(1) the term ‘coastal recreation waters’ means Great Lakes and marine coastal waters commonly used by the public for swimming, bathing, or other similar body contact purposes; and

“(2) the term ‘floatable materials’ means any matter that may float or remain suspended in the water column and includes plastic, aluminum cans, wood, bottles, and paper products.”

(3) STUDY TO IDENTIFY INDICATORS OF HUMAN-SPECIFIC PATHOGENS IN COASTAL RECREATION WATERS.—

(A) STUDY.—The Administrator, in co-operation with the Under Secretary of Commerce for Oceans and Atmosphere, shall conduct an ongoing study to provide additional information to the current base of knowledge for use for developing better indicators for directly detecting in coastal recreation waters the presence of bacteria and viruses which are harmful to human health.

(B) REPORT.—Not later than 4 years after the date of the enactment of this Act, and periodically thereafter, the Administrator shall submit to the Congress a report describing the findings of the study under this paragraph, including—

(i) recommendations concerning the need for additional numerical limits or conditions and other actions needed to improve the quality of coastal recreation waters;

(ii) a description of the amounts and types of floatable materials in coastal waters and on coastal beaches and of recent trends in the amounts and types of such floatable materials; and

(iii) an evaluation of State efforts to implement this section, including the amendments made by this section.

(4) GRANTS TO STATES.—

(1) GRANTS.—The Administrator may make grants to States for use in fulfilling requirements established pursuant to paragraphs (1) and (2) (including any amendments made by such paragraphs).

(B) COST SHARING.—The total amount of grants to a State under this paragraph for a fiscal year shall not exceed 50 percent of the cost to the State of implementing requirements established pursuant to such paragraphs.

(5) DEFINITIONS.—In this subsection—

(A) the term “coastal recreation waters” means Great Lakes and marine coastal waters commonly used by the public for swimming, bathing, or other similar body contact purposes; and

(B) the term “floatable materials” means any matter that may float or remain suspended in the water column and includes plastic, aluminum cans, wood, bottles, and paper products.

(6) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Administrator—

(A) for use in making grants to States under paragraph (4) not more than \$3,000,000 for each of the fiscal years 1996 and 1997; and

(B) for carrying out the other provisions of this subsection not more than \$1,000,000 for each of the fiscal years 1996 and 1997.

Page 204, line 14, strike “406” and insert “407”.

It was decided in the { Yeas 175
negative } Nays 251

¶64.10 [Roll No. 317]
AYES—175

Ackerman	Costello	Foglietta
Andrews	Coyne	Forbes
Baldacci	Davis	Ford
Barcia	de la Garza	Fox
Becerra	DeFazio	Frank (MA)
Beilenson	DeLauro	Frelinghuysen
Bentsen	Dellums	Frost
Berman	Deutsch	Furse
Boehlert	Dicks	Gedjenson
Bonior	Dingell	Gephardt
Borski	Dixon	Gibbons
Boucher	Doggett	Gilchrest
Brown (CA)	Doyle	Gilman
Brown (FL)	Durbin	Gonzalez
Brown (OH)	Engel	Gordon
Bryant (TX)	English	Green
Cardin	Eshoo	Greenwood
Castle	Evans	Gutierrez
Clay	Farr	Hall (OH)
Clayton	Fattah	Harman
Clyburn	Fazio	Hastings (FL)
Coleman	Fields (LA)	Hefner
Collins (MI)	Filner	Hinchey
Conyers	Flake	Holden

Hoyer	Meek	Serrano
Jackson-Lee	Menendez	Shays
Jefferson	Meyers	Skaggs
Johnson (SD)	Mfume	Slaughter
Johnson, E. B.	Mineta	Smith (NJ)
Johnston	Moran	Spratt
Kanjorski	Morella	Stark
Kaptur	Nadler	Stokes
Kennedy (MA)	Neal	Studds
Kennedy (RI)	Oberstar	Stupak
Kennelly	Obey	Thompson
Kildee	Olver	Thornton
Klink	Owens	Torkildsen
LaFalce	Pallone	Torres
Lantos	Pastor	Torricelli
Lazio	Payne (NJ)	Towns
Levin	Pelosi	Tucker
Lewis (GA)	Pomeroy	Velazquez
Lincoln	Poshard	Vento
Lipinski	Rahall	Visclosky
LoBiondo	Rangel	Ward
Lofgren	Reed	Waters
Lowey	Reynolds	Watt (NC)
Luther	Richardson	Waxman
Maloney	Rivers	Weldon (PA)
Manton	Roukema	Williams
Markey	Roybal-Allard	Wilson
Martinez	Rush	Wise
Mascara	Sabo	Woolsey
Matsui	Sanders	Wyden
McDermott	Sawyer	Wynn
McHale	Saxton	Yates
McKinney	Schroeder	Zimmer
McNulty	Schumer	
Meehan	Scott	

NOES—251

Abercrombie	Dickey	Kelly
Allard	Dooley	Kim
Archer	Doolittle	King
Armey	Dornan	Kingston
Bachus	Dreier	Klecza
Baessler	Duncan	Klug
Baker (CA)	Dunn	Knollenberg
Baker (LA)	Edwards	Kolbe
Ballenger	Ehlers	LaHood
Barr	Ehrlich	Largent
Barrett (NE)	Emerson	Latham
Barrett (WI)	Ensign	LaTourette
Bartlett	Everett	Leach
Barton	Ewing	Lewis (CA)
Bass	Fawell	Lewis (KY)
Bateman	Fields (TX)	Lightfoot
Bereuter	Flanagan	Linder
Beverly	Foley	Livingston
Bilbray	Fowler	Longley
Bilirakis	Franks (CT)	Lucas
Bishop	Franks (NJ)	Manzullo
Bileley	Frisa	Martini
Blute	Funderburk	McCarthy
Boehner	Gallegly	McCollum
Bonilla	Ganske	McCreery
Brewster	Gekas	McDade
Browder	Geren	McHugh
Brownback	Gillmor	McInnis
Bryant (TN)	Goodlatte	McIntosh
Bunn	Goodling	McKeon
Bunning	Goss	Metcalf
Burr	Graham	Mica
Burton	Gunderson	Miller (FL)
Buyer	Gutknecht	Minge
Callahan	Hall (TX)	Mink
Calvert	Hamilton	Molinari
Camp	Hancock	Mollohan
Canady	Hansen	Montgomery
Chabot	Hastert	Moorhead
Chambliss	Hastings (WA)	Murtha
Chapman	Hayes	Myers
Chenoweth	Hayworth	Myrick
Christensen	Hefley	Nethercutt
Chrysler	Heineman	Neumann
Clement	Herger	Ney
Clinger	Hilleary	Nussle
Coble	Hilliard	Ortiz
Coburn	Hobson	Orton
Collins (GA)	Hoekstra	Oxley
Combest	Hoke	Packard
Condit	Horn	Parker
Cooley	Hostettler	Paxon
Cox	Houghton	Payne (VA)
Cramer	Hunter	Peterson (MN)
Crane	Hutchinson	Petri
Crapo	Hyde	Pickett
Creameans	Inglis	Pombo
Cubin	Istook	Porter
Cunningham	Jacobs	Portman
Danner	Johnson (CT)	Pryce
Deal	Johnson, Sam	Quillen
DeLay	Jones	Quinn
Diaz-Balart	Kasich	Radanovich

Ramstad	Skeen	Thurman
Regula	Skeltton	Tiahrt
Riggs	Smith (MI)	Trafficant
Roberts	Smith (TX)	Upton
Roemer	Smith (WA)	Volkmer
Rohrabacher	Solomon	Vucanovich
Ros-Lehtinen	Souder	Waldholtz
Rose	Spence	Walker
Roth	Stearns	Walsh
Royce	Stenholm	Wamp
Salmon	Stockman	Watts (OK)
Sanford	Stump	Weldon (FL)
Scarborough	Talent	Weller
Schaefer	Tanner	White
Schiff	Tate	Whitfield
Seastrand	Tauzin	Wicker
Sensenbrenner	Taylor (MS)	Wolf
Shadegg	Taylor (NC)	Young (AK)
Shaw	Tejeda	Young (FL)
Shuster	Thomas	Zeliff
Sisisky	Thornberry	

NOT VOTING—8

Bono	Miller (CA)	Peterson (FL)
Collins (IL)	Moakley	Rogers
Laughlin	Norwood	

So the amendment was not agreed to.
After some further time,

¶64.11 RECORDED VOTE

A recorded vote by electronic device was ordered in the Committee of the Whole on the following amendment submitted by Mr. MINETA:

Page 170, line 19, strike “issuing”.

Page 170, line 20, before “any” insert “issuing”.

Page 170, line 24, strike “or”.

Page 171, line 1, before “any” insert “issuing”.

Page 171, line 3 strike the period and insert a semicolon.

Page 171, after line 3, insert the following:

“(3) granting under section 301(g) a modification of the requirements of section 301(b)(2)(A);

“(4) issuing a permit under section 402 which under section 301(p)(5) modifies the requirements of section 301, 302, 306, or 307;

“(5) extending under section 301(k) a deadline for a point source to comply with any limitation under section 301(b)(1)(A), 301(b)(2)(A), or 301(b)(2)(E) or otherwise modifying under section 301(k) the conditions of a permit under section 402;

“(6) issuing a permit under section 402 which modifies under section 301(q) the requirements of section 301(b), 306, or 307;

“(7) issuing a permit under section 402 which modifies under section 301(r) the requirements of section 301(b), 306, or 307;

“(8) renewing, reissuing, or modifying a permit to which section 401(o)(1) applies if the permittee has received a permit modification under section 301(q) or 301(r) or the exception under section 402(o)(2)(F) applies;

“(9) extending under section 307(e) the deadline for compliance with applicable national categorical pretreatment standards or otherwise modifying under section 307(e) pretreatment requirements of section 307(b);

“(10) waiving or modifying under section 307(f) pretreatment requirements of section 307(b);

“(11) allowing under section 307(g) any person that introduces silver into a publicly owned treatment works to comply with a code of management practices in lieu of complying with any pretreatment requirement for silver;

“(12) establishing under section 316(b)(3) a standard other than best technology available for existing point sources;

“(13) approving a pollutant transfer pilot project under section 321(g)(1); or

“(14) issuing a permit pursuant to section 402(r)(1) with a limitation that does not meet applicable water quality standards.